

AO 440 (Rev. 8/01) Summons in a Civil Action

## UNITED STATES DISTRICT COURT

For The

District of

Delaware

BETTY AGEE, Individually and as  
 Representative of the Estate of  
 RICHARD L. AGEE, et al.  
 Plaintiffs,  
 V.

ALIAS  
SUMMONS IN A CIVIL CASE

A.W. Chesterton, et al.  
 Defendants.

CASE NUMBER:

06-668 SLR

TO: (Name and address of Defendant)

Crown Cork & Seal Company, Inc.  
 c/o William J. Avery, President  
 9300 Ashton Road  
 Philadelphia, PA 19136

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Robert Jacobs, Esquire  
 2 East 7th Street, P.O. Box 1271  
 Wilmington, DE 19899

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

PETER T. DALLEO

FEB 20 2007

CLERK



(By) DEPUTY CLERK

DATE

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**RETURN OF SERVICE**

Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE 2/23/07 @ 4:16 pm
NAME OF SERVER (PRINT) ROBERT DELACY, III	TITLE SPS

*Check one box below to indicate appropriate method of service*

- Served personally upon the defendant. Place where served: \_\_\_\_\_
- Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.  
Name of person with whom the summons and complaint were left: \_\_\_\_\_
- Returned unexecuted: \_\_\_\_\_
- Other (specify): SERVED HARRIET WINDSOR, DELAWARE SECRETARY OF STATE  
\_\_\_\_\_

**STATEMENT OF SERVICE FEES**

TRAVEL	SERVICES	TOTAL

**DECLARATION OF SERVER**

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 2/23/07  
Date

  
*Signature of server*

D. M. PROFESSIONAL SERVICES  
5 Orchard Lane  
Wilmington, DE 19809

*Address of Server*

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

## UNITED STATES DISTRICT COURT

CASE NO.: 06-668 SLR

## AFFIDAVIT OF SERVICE

**BETTY AGEE, INDIVIDUALLY AND  
AS REPRESENTATIVE OF THE  
ESTATE OF RICHARD L. AGEE, ET  
AL**

Plaintiff/Petitioner,  
vs.

**A. W. CHESTERTON, ET AL**

Defendant/Respondent.

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Received by D.M. Professional Services, Inc. on 02/26/2007 at 01:16 PM to be served upon:

**CROWN CORK & SEAL COMPANY, INC.**

DELAWARE  
NEW CASTLE, KENT, SUSSEX ss.

I, ROBERT DELACY, III, depose and say that:

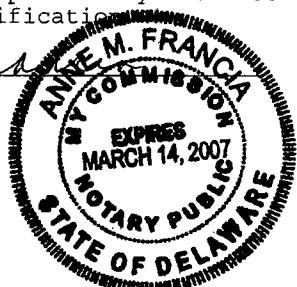
On 02/23/2007 at 04:16 PM, I served the within ALIAS SUMMONS AND COMPLAINT on CROWN CORK & SEAL COMPANY, INC. at C/O DELAWARE SECRETARY OF STATE 401 FEDERAL ST, Dover, DE 19901 in the manner indicated below:

Served the within ALIAS SUMMONS AND COMPLAINT on 02/23/2007 Personally upon Harriet Windsor, Secretary Of State of the state of Delaware by leaving her a true and correct copy of said ALIAS SUMMONS AND COMPLAINT for defendant, CROWN CORK & SEAL COMPANY, INC., together with the sum of \$2.00 as prescribed by section 3104 of title 10 of the Delaware code of 1978.

I declare under penalty of perjury that the information contained herein is true and correct and that this affidavit was execute on this 23 day of Feb, 2007.

Sworn to and subscribed before me on this  
23 day of Feb, 2007  
by an affiant who is personally known to  
me or produced identification

*Anne M. Francis*  
NOTARY PUBLIC



X *Robert Delacy, III*  
ROBERT DELACY, III  
D.M. Professional Services, Inc.  
5 Orchard Lane  
Wilmington, DE 19809

800.966.3624  
Law Firm: JACOBS & CRUMPLAR  
Atty File#: - Our File# 12769